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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,775	07/29/2000	Koichi Kokusho	21778.04400	3839

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EXAMINER	
ROBINSON, MYLES D	

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/628,775	KOKUSHO	
	Examiner	Art Unit	
	Myles D. Robinson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *24 - 34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *24 - 34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/12/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/12/2006 has been entered.

Response to Amendment

2. Applicant's amendment was received on 7/12/2006, and has been entered and made of record. Currently, **claims 24 – 34** are pending.

Response to Arguments

3. Applicant's arguments filed 7/12/2006 with respect to the rejection(s) of claim(s) 24, 28 and 32 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Safai** (U.S. Patent No. 6,642,956).

Information Disclosure Statement

4. The examiner has considered the references listed in the Information Disclosure Statement (IDS) submitted on 7/12/2006 (see attached PTO-1449).

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. ***Claim 24 – 31*** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Enomoto *et al.*** (U.S. Patent 5,974,401) in view of **Parulski *et al.*** (U.S. Patent 6,573,927 B2) and in view of **Maurinus *et al.*** (U.S. Patent No. 5,606,365) and further in view of **Safai** (U.S. Patent No. 6,642,956).

Referring to **claim 24**, Enomoto et al. disclose a print order/delivery system comprising:

an ordering apparatus (see Fig. 1, personal computer 11) that transmits pictorial data to a print order receiving side (see Fig. 1, photofinisher 12) along with the identification data and order data (column 3, lines 40 – 51, column 3, line 60 – column 4, line 1, column 6, lines 10 – 18, 45 – 49, and column 7, lines 14 – 21),

a printer (see Fig. 1, printers 15, 16, 17) on the print order receiving side that prints a picture based on the pictorial data and the order data, which are transmitted from the ordering apparatus (column 7, lines 22 – 26 and column 8, lines 53 – 59), and

a user management apparatus, on the print order receiving side, that recognizes the user from a group of registered users (column 6, line 55 – 62 refers to a plurality of users), based on the identification data which is transmitted from the ordering apparatus (column 4, lines 39 – 51, column 6, lines 10 – 22 and column 8, lines 41 – 52) but does not explicitly disclose a registration apparatus that assigns unique device identification

data to an electronic device and registers a user in such a way as to associate the user with the identification data wherein the registration apparatus is configured to receive user information, and to assign the unique device identification data based on the received user information to the electronic device, which electronically takes a picture and generates the pictorial data, the electronic device receiving and storing the unique device identification data assigned by the registration apparatus, wherein the user information includes address information and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purposes of ordering the prints, and wherein the ordering apparatus is configured to receive the identification data and the pictorial data stored in the electronic device or a recording medium which is attached to the electronic device, and to transmit the pictorial data and the identification data to the print order receiving side along with the order data.

Parulski et al. disclose the system further wherein the ordering apparatus (see Fig. 1, digital still camera 12 orders prints from service provider 14 via communications network 31, column 4, lines 36 – 41) is configured to receive the identification data and the pictorial data stored in the electronic device or a recording medium which is attached to the electronic device (see Fig. 1, removable memory card 36, column 3, lines 39 – 44 and column 6, lines 26 – 53), and to transmit the pictorial data and the identification data to the print order receiving side (see Fig. 1, service provider 14) along

with the order data (column 2, lines 12 – 18, column 2, line 53 – column 3, line 4) but does not explicitly disclose a registration apparatus that assigns unique device identification data to an electronic device and registers a user in such a way as to associate the user with the identification data wherein the registration apparatus is configured to receive user information, and to assign the unique device identification data based on the received user information to the electronic device, which electronically takes a picture and generates the pictorial data, the electronic device receiving and storing the unique device identification data assigned by the registration apparatus, wherein the user information includes address information and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purposes of ordering the prints,.

Maurinus et al. disclose the system further comprising:

a registration apparatus (see Fig. 2, camera manufacturer 48) that assigns unique device identification data to an electronic device (see Figs. 1 – 4b, cameras 10, 10', 10" comprising non-volatile memory 16 and ROM Camera ID 12, column 4, lines 30 – 41, column 5, lines 7 – 32 wherein the camera serial number, or camera ID code, are assigned and stored within ROM 12 at manufacture and within memory 16 along with image information) and registers a user in such a way as to associate the user with the

identification data (column 7, lines 7 – 21, column 8, lines 22 – 27, column 9, lines 23 – 24 and column 10, lines 30 – 36), and

wherein the registration apparatus is configured to receive user information, and to assign the unique device identification data based on the received user information to the electronic device (column 9, lines 20 – 35 and 53 – 60 wherein camera manufacture 48 assigns the user's camera ID which identifies with the correction code and processing algorithms for respective to the user's raw, digitized image information sets), which electronically takes a picture and generates the pictorial data, the electronic device receiving and storing the unique device identification data assigned by the registration apparatus (see Figs. 1 – 4b, cameras 10, 10', 10" comprising ROM Camera ID 12, column 5, lines 10 – 11 wherein the user's camera ID is received at manufacture by camera manufacturer 48 and column 5, lines 28 – 32 wherein the user's camera ID is stored). Furthermore, it is inherent and well known among those of ordinary skill in the art that a digital camera takes in a picture electronically. However, Marinus does not explicitly disclose the system further wherein the user information includes address information and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purposes of ordering the prints.

Safai discloses the system wherein the user information includes address information and/or billing information, and the user information and unique device

identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purposes of ordering the prints (see Figs. 4 and 10B, authentication stamper 418, step 1050, column 15, lines 36 – 50).

Enomoto, Parulski, Maurinus and Safai are combinable because they are both from the same field of endeavor, being digital photography and print ordering systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include either an electronic device such as a digital camera or a recording medium such as a memory card to transmit image and identification information along with print order data along with a digital photography and print ordering/delivery system. The suggestion/motivation for doing so would have been the added value of convenience and ease of use for customers ordering and delivering prints, as suggested by Parulski (column 1, line 60 – column 2, line 27).

Furthermore, it would have been obvious to one of ordinary skill in the art to include assigning a unique device ID to an electronic device such as a digital camera in which the device ID is associated with a specific user along with a digital photography and print ordering/delivery system. The suggestion/motivation for doing so would have been to provide an inexpensive and flexible method of processing image information for color correction and correction for CCD element pixel defects, as suggested by Maurinus et al. (column 2, lines 37 – 42, column 3, lines 20 – 35, column 3, line 65 –

column 4, line 5, column 4, lines 30 – 41, column 5, lines 44 – 50 and column 6, lines 1 – 10).

Furthermore, it would have been obvious to one of ordinary skill in the art to include assigning address information to the unique ID of a digital camera along with a digital photography and print ordering/delivery system. The suggestion/motivation for doing so would have been to easily match the photographer to the camera and/or captured images, as suggested by Safai (column 15, lines 36 – 50).

Referring to **claim 25**, Maurinus et al. disclose the system further wherein the electronic device is a digital camera (see Figs. 1 – 4b, cameras 10, 10', 10", column 4, line 30 – column 5, line 50) comprising a non-volatile memory (see Fig. 1, ROM Camera ID 12, column 5, lines 10 – 11 and 28 – 32) for storing the identification data.

Referring to **claim 26**, Maurinus et al. disclose the system further wherein the recording medium is a memory card (see Fig. 1, non-volatile memory 16, column 5, lines 12 – 16) and the digital camera comprises a recorder (see Fig. 1, non-volatile memory 16) that records the identification data read out from the non-volatile memory and the generated pictorial data on the memory card (column 5, lines 7 – 10 and 12 – 18 wherein stores both image information and camera ID code), wherein the ordering apparatus is configured to receive the identification data and the pictorial data from the memory card (column 5, lines 19 – 32, column 7, lines 7 – 21 and column 9, lines 53 – 60).

Referring to **claim 27**, Enomoto et al. disclose the system further comprising:

an accounting unit that calculates a charge on the basis of the order data (column 6, line 55 – column 7, line 3), and that performs accounting processing on the basis of a result of the calculation (column 4, lines 32 – 38, column 5, lines 53 – 56, column 7, lines 48 – 53, and column 8, lines 13 – 18).

Referring to **claims 28 – 31**, the rationale provided in the rejections of claims 24 – 27, respectively, are incorporated herein. In addition, the systems of claims 24 – 27 perform the methods of claims 28 – 31, respectively.

7. ***Claim 32 – 34*** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Enomoto *et al.*** (U.S. Patent 5,974,401) in view of **Maurinus *et al.*** (U.S. Patent No. 5,606,365) and further in view of **Safai** (U.S. Patent No. 6,642,956)

Referring to **claim 32**, Enomoto et al. disclose a printing system for printing a picture taken by a digital camera (see Fig. 1, digital camera 21, column 3, lines 21 – 26), which has been previously assigned a unique identification data associated with the camera, comprising:

a receiver (see Fig. 1, photofinisher 12 comprising workstation 13, memory device 14 and modem 26, column 4, lines 52 – 65) that receives the user information (column 4, lines 39 – 40, column 7, lines 57 – 59) transmitted from a registration apparatus (see Fig. 1, user side 10 comprising personal computer 11), the registration apparatus registers a user associated with the identification data (column 4, lines 39 – 51, column 6, lines 10 – 22 and column 8, lines 41 – 52), the receiver also receives pictorial data of the picture and order data transmitted from a print ordering side (see

Fig. 1, user side 10 comprising personal computer 11, column 4, lines 39 – 51, column 6, lines 10 – 22 and column 8, lines 41 – 52),

a printer (see Fig. 1, printers 15, 16, 17) that prints a picture based on the pictorial data on the basis of the received order data (column 6, line 55 – column 7, line 3, column 7, lines 22 – 26 and column 8, lines 53 – 59), and

a user management (see Fig. 1, data base 24 comprising workstation 13, memory device 14 and modem 26) apparatus that recognizes a user from a group of registered users on the basis of the received identification data (column 4, lines 39 – 51, column 6, lines 10 – 22 and column 8, lines 41 – 52) but does not explicitly disclose a digital camera which has been previously assigned a unique identification data associated with the camera and a receiver that receives the unique device identification data, the receiver also receives pictorial data of the identification transmitted from a print ordering side, and wherein the user information includes address and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purpose of ordering the prints.

Maurinus et al. disclose a digital camera (see Figs. 1 – 4b, cameras 10, 10', 10" comprising non-volatile memory 16 and ROM Camera ID 12, column 4, lines 30 – 41, column 5, lines 7 – 32 wherein the camera serial number, or camera ID code, are assigned and stored within ROM 12 at manufacture and within memory 16 along with

image information) which has been previously assigned a unique identification data associated with the camera (column 5, lines 10 – 11 wherein the user's camera ID is received at manufacture by camera manufacturer 48 and column 5, lines 28 – 32 wherein the user's camera ID is stored) and a receiver (see Fig. 2, camera manufacturer 48) that receives the unique device identification data, the receiver also receives the identification transmitted from a print ordering side (see Fig. 2, HIC 54, column 8, lines 22 – 27, column 9, lines 53 – 60) but does not explicitly disclose the system further wherein the user information includes address and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purpose of ordering the prints.

Safai discloses the system wherein the user information includes address and/or billing information, and the user information and unique device identification data are stored and used to facilitate the ordering of prints of the pictorial data based on the unique device identification data, such that when the user management system recognizes the user based on the identification data, the user information is automatically retrieved for purpose of ordering the prints (see Figs. 4 and 10B, authentication stamper 418, step 1050, column 15, lines 36 – 50).

Enomoto and Maurinus are combinable because they are both from the same field of endeavor, being digital photography and print ordering systems. At the time of

the invention, it would have been obvious to one of ordinary skill in the art to include assigning a unique device ID to an electronic device such as a digital camera in which the device ID is associated with a specific user along with a digital photography and print ordering/delivery system. The suggestion/motivation for doing so would have been to provide an inexpensive and flexible method of processing image information for color correction and correction for CCD element pixel defects, as suggested by Maurinus et al. (column 2, lines 37 – 42, column 3, lines 20 – 35, column 3, line 65 – column 4, line 5, column 4, lines 30 – 41, column 5, lines 44 – 50 and column 6, lines 1 – 10).

Furthermore, it would have been obvious to one of ordinary skill in the art to include assigning address information to the unique ID of a digital camera along with a digital photography and print ordering/delivery system. The suggestion/motivation for doing so would have been to easily match the photographer to the camera and/or captured images, as suggested by Safai (column 15, lines 36 – 50).

Referring to **claim 33**, Enomoto et al. disclose the system further comprising:

an accounting unit that calculates a charge on the basis of the order data (column 6, line 55 – column 7, line 3), and that performs accounting processing on the basis of a result of the calculation (column 4, lines 32 – 38, column 5, lines 53 – 56, column 7, lines 48 – 53, and column 8, lines 13 – 18).

Referring to **claim 34**, Enomoto et al. disclose the system further wherein the user management apparatus comprises a database containing user information associated with the identification data (see Fig. 1, data base 24 comprising workstation 13, column 4, lines 52 – 65 wherein database software is installed in workstation 13).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee (U.S. Patent No. 6,995,857) discloses a system and method for routing service requests from a paired digital camera and transceiver module wherein the camera identifier contains shipping and billing information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MDR 9/30/06

TWYLER LAMB
SUPERVISORY PATENT EXAMINER